

SIEMENS

PATENT
Attorney Docket No. 2002P13843WOUS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Inventor:	T. Jatschka)	Confirmation No:	8651
)		
Serial No.:	10/529,330)	Examiner:	D. Nobile
)		
Filed:	March 24, 2005)	Group Art Unit:	2617
Title	METHOD FOR LOGGING IN A TERMINAL AT AN ACCESS POINT OF A LOCAL COMMUNICATION NETWORK			

Commissioner For Patents

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Sir:

APPELANTS BRIEF

This Appeal Brief relates to an appeal from the rejection of claims 10, 15-21 and 23-28 in the Office Action mailed November 23, 2009.

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I. Real Party in Interest

The real party in interest is Siemens Aktiengesellschaft of Munich, Germany, the assignee of record.

II. Related Appeals and Interferences

There are no known related appeals or interferences.

III. Status of Claims

Claims 1-9, 11-14, and 22 have been canceled. Claims 10, 15-21, and 23-28 are rejected. No claims have been allowed. Claims 10, 15-21, and 23-28 are being appealed.

IV. Status of Amendments

No amendment has been filed subsequent to the rejection.

V. Summary of Claimed Subject Matter

A. Claim 10

Referring to FIG 1, FIG 2, page 3 lines 4-17, page 5 lines 30-32, page 6 lines 1-6, and lines 11-14, independent claim 10 recites a method for the initial registration of a mobile terminal (PC) at an access point (AP) of a local communication network (LAN), the access point (AP) having a first radio transmitting and receiving unit (TRX1) operating at a first transmitting power for establishing communication between the mobile terminal (PC) and the local communication network (LAN), the method comprising:

detecting the mobile terminal (PC) by the access point (AP) (S1);

providing a signaling which includes transmitting a first message to the mobile terminal (PC) after the detecting the mobile terminal (PC) by the access point (AP); the first message indicates an artificially received first signal level at the access point (AP), the artificially received first signal level being higher than a signal receiving level actually measured by the access point (AP)(S2), the artificially received first signal level formed as a received signal strength indicator value, the first message instructs the mobile terminal (PC) to reduce a second transmission power of a second radio transmitting and receiving unit (TRX2) of the mobile terminal (PC) so that a transmit/receive process is only carried out in a near field (N2) of the mobile terminal (PC); and

reducing the first transmitting power of the first radio transmitting and receiving unit (TRX1) after the signaling (S3), the first transmitting power is reduced such that the communication between the mobile terminal (PC) and the local communication network (LAN) is enabled exclusively within a near field (N1) of the access point (AP), the near field (N1) having a smaller area than a standard enabling area defined by all locations enabling the communication between the mobile terminal (PC) and the local communication network (LAN) when the mobile terminal (PC) is present at the locations and the first radio transmitting and receiving unit (TRX1) is operating at the first non-reduced transmitting power.

B. Claim 21

Referring to FIG 1, FIG 2, page 3 lines 4-17, page 5 lines 30-32, page 6 lines 1-6, and lines 11-14, independent claim 21 recites an access point (AP) of a local communication network, comprising:

a first radio transmitting and receiving unit (TRX1) operating at a first transmitting power for establishing communication between a mobile terminal (PC) and the local communication network (LAN), wherein the access point (AP) is configured to:

detect the mobile terminal (PC) (S1) ; and

provide a signaling which includes transmitting a first message to the mobile terminal (PC) after the mobile terminal (PC) is detected by the access point (AP); the first message indicates an artificially received first signal level at the access point (AP), the artificially received first signal level being higher than a signal receiving level actually measured by the access point (AP) (S2), the artificially received first signal level formed as a received signal strength indicator value, the first message instructs the mobile terminal (PC) to reduce a second transmission power of a second radio transmitting and receiving unit of the mobile terminal (PC) so that a transmit/receive process is only carried out in a near field (N2) of the mobile terminal (PC); and

reducing the first transmitting power of the first radio transmitting and receiving unit (TRX1) after the signaling (S3), the first transmitting power is reduced such that the communication between the mobile terminal (PC) and the local communication network (LAN) is enabled exclusively within a near field of the access point, the near field having a smaller area than a standard enabling area defined by all locations enabling the communication between the mobile terminal (PC) and the local communication network when the mobile terminal (PC) is present at the locations and the first radio transmitting and receiving unit (TRX1) is operating at the first non-reduced transmitting power.

VI. Grounds for Rejection to be Reviewed

Claims 10, 15-18, 21 and 23-26 stand rejected under 35 U.S.C. § 103(a), the Examiner contending that these claims are obvious over Cotton (USPN 6148205) [Cotton] in view of IEEE Standard 802.15.1-2002 [IEEE-802.15].

Claims 19, 20, 27, and 28 stand rejected under 35 U.S.C. § 103(a), the Examiner contending that these claims are obvious over Cotton (USPN 6148205) [Cotton] in view of IEEE Standard 802.15.1-2002 [IEEE-802.15] and in further view of Larson et al. (USPN 6,697,638).

VII. Appellants' Argument

A. The rejection of claims 10, 15-18, 21 and 23-26 under 35 U.S.C. § 103(a) as being obvious over Cotton (USPN 6148205) [Cotton] in view of IEEE Standard 802.15.1-2002 [IEEE-802.15].

a) Independent claims 10 and 21

Applicant's claims 10 and 21 recites:

the first message indicates an **artificially** received first signal level at the access point, the artificially received first signal level being higher than a signal receiving level actually measured by the access point, the artificially received first signal level formed as a received signal strength indicator value

The Examiner contends that IEEE-802.15 teaches this limitation in sections section 7.4.7; Figure 9, section 9.3.18; Sequence 41 [LMP_decr_power_req].

Section 7.4.7 recites

A transceiver that wishes to take part in a power-controlled link shall be able to measure its own receiver signal strength and determined whether the transmitter on the other side of the link should increase or decrease its output power level. A receiver signal strength indicator (RSSI) makes this possible. The RSSI measurement compares the received signal power with two threshold levels, which define the ideal receive power range. The lower threshold level corresponds to a received power between -56dBm and 6dB above the actual sensitivity of the receiver. The upper threshold level is 20dB above the lower threshold level to an accuracy of ± 6 dB (see Figure 9).

Section 9.3.18 recites

If the RSSI value differs too much from the preferred value of a Bluetooth device, it can request an increase or decrease of the other device's TX power. The power adjustment request can be made at anytime following a successful baseband paging procedure. If a device does not support power control requests this is indicated in the supported features list and thus no power control requests shall be sent after the supported features response has been processed. Prior to this time, a power control adjustment might be sent and if the recipient does not support power control it is allowed to send LMP_max_Power in response to LMP_Incr_power_req and LMP_min_Power in response to LMP_Decr_power_req. Another possibility is to send LMP_not_accepted with the reason unsupported LMP feature. Upon receipt of this message, the output power is increased or decreased one step. ...

Applicant respectfully submits that IEEE 802.15 teaches that an actual signal receiving level is measured and the measured signal receiving level is compared to see if it is within a desired range for communication between the devices. One skilled in the art would understand that if the signal strength is too low that data may not be received. In addition, if the signal strength is too high the listening device may fail to respond (see e.g., IEEE 802.15 section 7.3 page 32). If the measured signal receiving level differs too much from the desired range, the measuring device may request an increase or decrease of the other devices transmission power based on the measured signal receiving level.

In contrast, Applicant's limitation is directed to an artificial signal receiving level and not to an actual measured signal receiving level. Regardless of an actual measured signal receiving level being in a desired range for communication between the devices, Applicant's signal level (artificially received first signal level) is set artificially higher than the signal receiving level actually measured. Thus, the artificially received first signal level, which is formed as a received signal strength indicator value, is always greater than the desired range and will always result in requesting a decrease in the transmission power.

Applicant respectfully submits that IEEE 802.15 does not teach or suggest Applicant's limitation. Therefore, in view of the above, claims 10 and 21 are patentable. Furthermore claims 15-20, which depend on claim 10, and claims 23-28, which depend on claim 21, are also patentable at least based on their dependency.

b) Dependent claims 15 and 23

Applicant's claims 15 and 23 recite:

the signaling includes a second message in order to instruct the user to move the mobile terminal into the near field of the access point

The Examiner equates Applicant's above limitation to Cotton col. 2 line 34-37 "device is moved close to base station and registration occurs". However, Cotton merely teaches that the device (mobile terminal) is moved near the base station (access point). However, Applicant's limitation includes the words "message" and "instruct the user", which appear to have been ignored by the Examiner. All words in a claim must be considered in judging the patentability of a claim against the prior art (MPEP 2143.03). Applicant reminds the Examiner that during patent examination, the pending claims must be "given their broadest reasonable interpretation consistent with the specification." . . . The broadest reasonable interpretation of the claims must also be consistent with the interpretation that those skilled in the art would reach (MPEP 2111).

In addition to the language of the limitation, the specification recites "a message can also be transmitted with the signaling in the second step, which prompts the terminal PC to instruct its user that to move into the near field of the access point AP with the terminal for this pairing process." (page 7, lines 29-32). One skilled in the art would not reasonably interpret Cotton's "device is moved close to the base station" as a "signaling includes a ...message" let alone as a "message...in order to instruct a user".

In view of the above, it is respectfully submitted that dependent claims 15 and 23 are patentable.

VIII. Conclusion

For the foregoing reasons, it is respectfully submitted that the rejections set forth in the outstanding Office Action are inapplicable to the present claims. The honorable Board is therefore respectfully requested to reverse the rejection of the Examiner and to remand the application to the Examiner with instructions to allow the pending claims. Please grant any extensions of time required to enter this paper. Please charge any appropriate fees due in connection with this paper or credit any overpayments to Deposit Acct. No. 19-2179.

Respectfully submitted,

Dated: 4-22-18

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IX. Claims Appendix

10. A method for the initial registration of a mobile terminal at an access point of a local communication network, the access point having a first radio transmitting and receiving unit operating at a first transmitting power for establishing communication between the mobile terminal and the local communication network, the method comprising:

detecting the mobile terminal by the access point;

providing a signaling which includes transmitting a first message to the mobile terminal after the detecting the mobile terminal by the access point; the first message indicates an artificially received first signal level at the access point, the artificially received first signal level being higher than a signal receiving level actually measured by the access point, the artificially received first signal level formed as a received signal strength indicator value, the first message instructs the mobile terminal to reduce a second transmission power of a second radio transmitting and receiving unit of the mobile terminal so that a transmit/receive process is only carried out in a near field of the mobile terminal; and

reducing the first transmitting power of the first radio transmitting and receiving unit after the signaling, the first transmitting power is reduced such that the communication between the mobile terminal and the local communication network is enabled exclusively within a near field of the access point, the near field having a smaller area than a standard enabling area defined by all locations enabling the communication between the mobile terminal and the local communication network when the mobile terminal is present at the locations and the first radio transmitting and receiving unit is operating at the first non-reduced transmitting power.

15. The method according to claim 10, wherein the signaling includes a second message in order to instruct the user to move the mobile terminal into the near field of the access point.

16. The method according to claim 15, wherein the second message is re-transmitted to the mobile terminal if the mobile terminal has not been moved into the near field of the access point within a specified time period after receiving the second message by the mobile terminal.

17. The method according to claim 16, wherein the reduced first transmission power is increased at least temporarily to a level corresponding to the non-reduced transmission power.

18. The method according to claim 16, wherein the second message is repeatedly re-transmitted.

19. The method according to claim 10, wherein the first and second transmitting and receiving units operate according to a short-range radio standard.

20. The method according to claim 19, wherein the short-range radio standard comprises a Bluetooth specification.

21. An access point of a local communication network, comprising:

a first radio transmitting and receiving unit operating at a first transmitting power for establishing communication between a mobile terminal and the local communication network, wherein the access point is configured to:

detect the mobile terminal; and

provide a signaling which includes transmitting a first message to the mobile terminal after the mobile terminal is detected by the access point; the first message indicates an artificially received first signal level at the access point, the artificially received first signal level being higher than a signal receiving level actually measured by the access point, the artificially received first signal level formed as a received signal strength indicator value, the first message instructs the mobile terminal to reduce a second transmission power of a second radio transmitting and receiving unit of the mobile terminal so that a transmit/receive process is only carried out in a near field of the mobile terminal; and

reducing the first transmitting power of the first radio transmitting and receiving unit after the signaling, the first transmitting power is reduced such that the communication between the mobile terminal and the local communication network is enabled exclusively within a near field of the access point, the near field having a smaller area than a standard enabling area defined by all locations enabling the communication between the mobile terminal and the local communication network when the mobile terminal is present at the locations and the first radio transmitting and receiving unit is operating at the first non-reduced transmitting power.

23. The access point according to claim 21, wherein the signaling includes a second message in order to instruct the user to move the mobile terminal into the near field of the access point.

24. The access point according to claim 23, wherein the second message is re-transmitted to the mobile terminal if the mobile terminal has not been moved into the near field of the access point within a specified time period after receiving the second message by the mobile terminal.

25. The access point according to claim 24, wherein the reduced first transmission power is increased at least temporarily to a level corresponding to the non-reduced transmission power.

26. The access point according to claim 24, wherein the second message is repeatedly re-transmitted.

27. The access point according to claim 21, wherein the first and second transmitting and receiving units operate according to a short-range radio standard.

28. The access point according to claim 27, wherein the short-range radio standard comprises a Bluetooth specification.

X. Evidence Appendix

None

XI. Related Proceedings Appendix

None